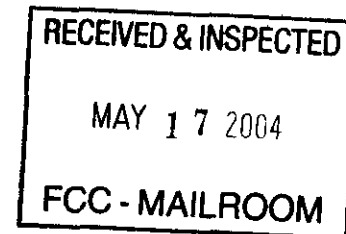


May 17, 2004

FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554



Dear Director:

I am requesting a waiver from the FCC for the Form 471 which was filed with the Schools and Library Division on February 6, 2004. I would ask that you refer to CC Docket No 02-6 for any additional information besides that which is included in this fax.

Your prompt attention to this matter would be appreciated and I would appreciate any additional help in making sure we secure the E-rate funding for program year 2004-2005.

Sincerely,

A handwritten signature in cursive script that reads "Bill Patterson".

Bill Patterson
USD #421 - Lyndon

No. of Copies rec'd 0
List ABCDE

UNIFIED SCHOOL DISTRICT #421**421 EAST 6TH STREET - P.O. BOX 488****LYNDON, KANSAS 66451***Ph # (785) 828-4413 Fax # (785) 828-3686**Jim Irey, Superintendent*

RECEIVED & INSPECTED

MAY 17 2004

FCC - MAILROOM

February 6, 2004

COPY

School & Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Rd.
Whippany, New Jersey 07981

RE: Form 470 - E-rate

School and Library Personnel:

As interim superintendent of schools of U.S.D. #421, I am requesting that you approve a waiver for our late filing of Form 470 relating to E-rate monies.

Lyndon U.S.D. #421 had a late resignation of a superintendent in mid-June of 2003. An interim superintendent, Monty Brown, was hired and began his duties on or about September 1, 2003. Mr. Brown accepted the responsibility of completing the e-rate application. Mr. Brown unexpectedly passed away on November 30, 2003 of a fatal heart attack.

I officially began my duties as interim superintendent on December 8, 2003. As you can imagine, when leadership changes in the middle of a school year some programs take a step backwards until the "new guy gets his feet on the ground". Mr. Patterson, our tech coordinator, shared with me that he would voluntarily take care of the e-rate application.

Due to the above circumstances, I respectfully request that you approve our waiver request.

Thanking you in advance.

Respectfully,



Jim Irey
Interim Superintendent
Lyndon U.S.D. #421

Bill Patterson
421 East 6th Street
Lyndon, KS 66451-0488
Phone: 785-828-4911
Fax: 785-828-4221
Billp@usd421.k12.ks.us

February 6, 2004

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Rd
Whippany, NJ 07981

Schools and library personnel

Please consider this letter as an official waiver request for the acceptance of our filing a late FORM 470. I feel that our district has had some extenuating circumstances during the time prior to the filing deadline.

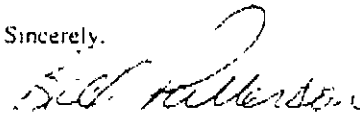
I received notice on February 6, 2004 via the receipt notification letter that my FORM 470 was officially filed on January 9, 2004. I then began working on the next step in the process only to find that the allowable date for vendors was February 6, 2004 which after I checked the schools and libraries web site was two days after the deadline. I did not know when the deadline was for submitting the necessary paperwork until I did some further investigation and found the closing date. This is the start of several circumstances surrounding this late filing which I would like to try to explain in the following paragraph.

This year, our school district began with no superintendent of schools due to the last minute resignation of the 2002-03 Superintendent. Our school board decided to hire an interim superintendent. This individual, Mr. Monty Brown, began serving in the capacity of superintendent in early September. During the Fall months, I visited with him a couple of times and he told me that he would take care of the paperwork and not to worry about it. On November 30, 2003, Thanksgiving weekend, Mr. Brown had a heart attack and died. The school board had a meeting in early December to hire another individual to serve as the interim Superintendent. They hired Mr. [redacted] who officially took over on December 8, 2003. I did not get a chance to visit with him about e-rate paperwork until later in the month and he gave me permission to file all of the necessary paperwork and to act as an authorized person. (At this time I did not know when the deadline was for filing the FORM 470.)

School was dismissed for Winter Break on December 19, 2003 and did not reconvene until January 6, 2004. I began to finalize the FORM 470 and submitted it to the Schools and Libraries on January 9, 2004 as indicated.

I hope that the above explanation of circumstances and the accompanying letters are evidence enough to grant USD #421-Lyndon a waiver to the FORM 470 and allow us to continue to proceed with the e-rate procedure for Funding Year 2004-05.

Sincerely,



Bill Patterson
Technology Coordinator



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Waiver Request

May 11, 2004

Jim Irey
Unified School District #421
421 East 6th Street
P.O. Box 488
Lyndon, KA 66451

Re: Your Request for Waiver of the Form 471 Filing Deadline For Program Year 2004-2005

Application Number: 435018
Billed Entity: 137649
Your Correspondence Dated: February 6, 2004

The Schools and Libraries Division received your request, cited above, for a waiver of the Form 471 Filing Deadline for the Schools and Libraries Universal Service Support Mechanism (E-Rate).

Federal Communications Commission (FCC) rules do not permit the Schools and Libraries Division (SLD) to consider requests for waivers.

If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC. You should refer to CC Docket No. 02-6 on the first page of your waiver request to the FCC. If you are submitting your waiver request via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing a waiver request with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau via e-mail at question@universalservice.org, toll-free via fax at 1-888-276-8736 or toll-free via phone at 1-888-203-8100. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company